

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ARIOSTO LIRA OSORIO, AX7579,

Petitioner,

v.

S. FRAUENHEIM, Warden,

Respondent.

Case No. [17-cv-06721-SK](#) (PR)

**ORDER OF TRANSFER**

Petitioner seeks federal habeas review of a conviction from Kern County Superior Court, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b).

Petitioner is incarcerated at Pleasant Valley State Prison in Fresno County, which also lies within the venue of the Eastern District of California. See id.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, see 28 U.S.C. § 2241(d); however, petitions challenging a conviction preferably are heard in the district of conviction. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because Kern County lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter forthwith.

**IT IS SO ORDERED.**

Dated: November 24, 2017



SALLIE KIM  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
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**CERTIFICATE OF SERVICE**


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 24, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ariosto Lira Osorio ID: #:AX7579  
Pleasant Valley State Prison  
P.O. Box 8500, A-3#147  
Coalinga, CA 93210

Dated: November 24, 2017

Susan Y. Soong  
Clerk, United States District Court

By:   
Melinda K. Lozenski, Deputy Clerk to the  
Honorable SALLIE KIM